IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 24TH JULY 2007 / 2ND SRAVANA 1929

Bail Appl..No. 4466 of 2007()

[CRIME NO.311 OF 2007 OF DHARMADAM POLICE STATION]

PETITIONER/ACCUSED

P.T.SAJEEVAN, AGED 38 YEARS,
S/O.DAMU, MECHANIC BY PROFESSION,
KUNIYIL HOUSE, DHARMADAM AMSOM, PALAYAD DESOM,
THALASSERY, KANNUR DISTRICT.

BY ADV. SRI.M.SASINDRAN
SRI.K.P.HARISH

RESPONDENTS: COMPLAINANT & STATE

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1. STATE- REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE STATION HOUSE OFFICER,
DHARMADAM POLICE STATION,
(CRIME NO.113 OF 2007), KANNUR DISTRICT.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.4466 of 2007

Dated this the 24th day of July 2007

O R D E R

Application for anticipatory bail. The petitioner faces allegations under Section 7 of the Essential Commodities Act. The crux of the allegations is that the petitioner was found to be in possession of 75 litres of petrol and 90 litres of diesel, without any legal justification for sale. Crime has been registered. Investigation is in progress. The petitioner apprehends imminent arrest.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer and I am satisfied that the petitioner can be granted bail subject to appropriate conditions.

3. In the result, this petition is allowed. Following directions are issued under Section 438 Cr.P.C in favour of the petitioner.

i) Petitioner shall surrender before the learned Magistrate having jurisdiction at 11 a.m on 31/7/2007.

ii) He shall be released on regular bail on condition that he executes a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 4

p.m on 01/08/2007 and 02/08/2007 and thereafter on all Mondays and Fridays between 10 a.m and 12 noon for a period of two months. Subsequently he shall so appear as and when directed by the investigating officer in writing to do so.

(iv) If the petitioner does not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioner and deal with him in accordance with law, as if these directions were not issued at all.

(v) If he were arrested prior to 31/7/2007, he shall be released from custody on his executing a bond for Rs.1,00,000/- (Rupees twenty five thousand only) without any sureties, undertaking to appear before the learned Magistrate on 31/7/2007.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007